

REMARKS

Following entry of the foregoing amendments, claims 79 to 81 and 83 to 97 will be pending in this patent application. Claims 79 to 81, 83, 84, and 97 have been amended, and claim 82 has been canceled, herein, without prejudice. No new claims have been added. Support for the amendments is found throughout the specification as originally filed, and the amendments thus do not introduce new matter into the application.

Applicants respectfully request reconsideration of the rejections of record in view of the foregoing amendments and the following remarks.

Alleged Indefiniteness

Claims 79, 82, and 85 to 97 have been rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. The Office asserts that claims 79 and 97 set forth an ambiguous description of the claimed chimeric amylolytic proteins. The Office further asserts that claim 82 is indefinite because it recites both broad and narrow limitations and the narrow limitation falls within the broad limitation. Without conceding the correctness of the assertions, and to advance prosecution, claims 79, 82, and 97 have been amended to no longer recite the allegedly ambiguous and indefinite subject matter, obviating the rejection. Applicants accordingly, respectfully request withdrawal thereof.

Alleged Anticipation

Claim 79 has been rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. patent number 5,736,499; claim 79 has been independently rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. patent number 5,763,383; claim 79 has been independently rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. patent number 6,410,295; and claim 79 has been independently rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. patent number 6,486,113. The Office asserts that each of the cited patent describes amylases that fall within the scope of the claimed chimeric amylolytic proteins. Without conceding the correctness of the rejections, and to advance prosecution, claim 79 has been amended herein to recite a

cleaning agent comprising a chimeric amylolytic protein comprising an amino acid sequence that is at least 98 % identical to the amino acid sequence set forth in SEQ ID NO:8. None of the patents cited by the Office teaches or suggests cleaning agents that comprise chimeric amylolytic proteins comprising amino acid sequences that are at least 98 % identical to the amino acid sequence set forth in SEQ ID NO:8. The cited patents thus fail to anticipate the presently claimed cleaning agents, and applicants accordingly, respectfully, request withdrawal of the rejection.

Alleged Obviousness

A. Claims 79, 85 to 89, and 97 have been rejected under 35 U.S.C. § 103(a) as allegedly rendered obvious by U.S. patent number 7,273,740 in view of U.S. patent number 5,736,499. The Office asserts that U.S. patent number 7,273,740 describes amylases that fall within the scope of the claimed chimeric amylolytic proteins. Applicants respectfully request reconsideration and withdrawal of the rejection because the cited patents, when considered individually or in combination, fail to describe or suggest the presently claimed compositions and methods.

To establish *prima facie* obviousness, the Patent Office must demonstrate that the cited prior art reference or combination of references teaches or suggests all the limitations of the claims.¹ Claims 79 and 97 have been amended herein to recite cleaning agents that comprise a chimeric amylolytic protein comprising an amino acid sequence that is at least 98 % identical to the amino acid sequence set forth in SEQ ID NO:8. The patents cited by the Office, when considered individually or in combination, fail to teach or suggest cleaning agents that comprise such chimeric amylolytic proteins. The cited patents thus fail to render the presently claimed cleaning agents obvious, and applicants accordingly, respectfully, request withdrawal of the rejection.

¹ *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974); *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

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B. Claims 85 to 97 have been rejected under 35 U.S.C. § 103(a) as allegedly rendered obvious by any one of U.S. patent numbers 5,736,499; 5,763,385; 6,410,295; 6,486,113; and 7,273,740 in view of U.S. patent number 6,656,899. Applicants respectfully request reconsideration and withdrawal of this rejection because it appears to be based upon the assumption that each of U.S. patent numbers 5,736,499; 5,763,385; 6,410,295; 6,486,113; and 7,273,740 teaches or suggests all the limitations of claims 85 to 97 except the limitations relating to liquid detergent compositions that comprise amylases. Since this assumption is believed to be incorrect, for the reasons discussed above, applicants respectfully request withdrawal of the rejection.

Information Disclosure Statement

An information disclosure statement, PTO Form 1449, and copies of 172 references cited on the PTO Form 1449 were filed for this application on June 21, 2004. A courtesy copy of the information disclosure statement, PTO Form 1449, and date-stamped return postcard (indicating that the information disclosure statement, PTO Form 1449, and 172 references were received by the Patent Office on June 23, 2004) were submitted with the reply filed December 12, 2007. The Office indicates that the documents cited in the PTO form 1449 were never scanned into the file for the application, however, and are thus not available for consideration. Accordingly, courtesy copies of the information disclosure statement, PTO Form 1449, and 150 non-patent literature references cited in the PTO Form 1449 will be filed with the Office in due course, and applicants respectfully ask the Examiner to return the PTO Form 1449 to their undersigned representative, confirming consideration of the listed references.

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Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the official action of record. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

Date: June 20, 2008

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